

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

NOT FOR PUBLICATION

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HENRY C. LATHAM,

Plaintiff,

MEMORANDUM AND ORDER

-against-

10-CV-2047 (JG)

TRANSIT AUTHORITY CIVIL
GOVERNMENT,

Defendant.
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JOHN GLEESON, United States District Judge:

Pro se plaintiff Henry C. Latham filed this action on May 3, 2010. I grant his request to proceed *in forma pauperis* solely for the purpose of this order. Because I am unable to determine what claim he is advancing, I dismiss the complaint without prejudice.

DISCUSSION

A court must liberally construe a *pro se* plaintiff's pleadings and interpret his complaint to raise the strongest argument it suggests. *See McPherson v. Coombe*, 174 F.3d 276, 280 (2d Cir. 1999); *see also Erickson v. Pardus*, 551 U.S. 89, 94 (2007) (“[A] *pro se* complaint, however inartfully pleaded, must be held to less stringent standards than formal pleadings drafted by lawyers.”). Nevertheless, under 28 U.S.C. § 1915(e)(2)(B)(ii), a court must dismiss an *in forma pauperis* action – even one brought *pro se* – if it determines that the action fails to state a claim on which relief may be granted.

Rule 8 of the Federal Rules of Civil Procedure requires that a complaint contain “a short and plain statement of the claim showing that the pleader is entitled to relief.” Rule 8 does not require much, but it “demands more than an unadorned, the-defendant-unlawfully-harmed-me accusation.” *Ashcroft v. Iqbal*, 129 S. Ct. 1373, 1397 (2009). Latham’s complaint

fails even this test. His filed a sample complaint form and left the area under the heading “Statement of Claim” blank. He did append two pages to his complaint and submit a three-page letter to the court, but those documents are unintelligible.¹

CONCLUSION

The complaint is dismissed without prejudice pursuant to 28 U.S.C. § 1915(e)(2)(B)(ii) for failure to state a claim on which relief may be granted. *In forma pauperis* status is denied for purpose of an appeal because any appeal from this order would not be taken in good faith. *See* 28 U.S.C. § 1915(a)(3).

So ordered.

John Gleeson, U.S.D.J.

Dated: July 26, 2010
Brooklyn, New York

¹ Latham has filed at least six other incomprehensible complaints in this court. *See Latham v. John*, No. 09-CV-3398 (dismissed without prejudice on August 20, 2009); *Latham v. Transit Auth. Civil Gov’t*, No. 09-CV-1009 (dismissed without prejudice on July 16, 2009); *Latham v. Civil Gov’t Transit Bldg.*, 08-CV-2522 (dismissed without prejudice on July 17, 2008); *Latham v. VA Outpatient Hospital*, No. 06-CV-6758 (dismissed on January 11, 2007); *Latham v. New York Psychotherapy*, No. 04-CV-2945 (dismissed without prejudice on Sept. 3, 2004); *Latham v. Iappil et al.*, No. 02-CV-2523 (dismissed on June 27, 2002).